Kamburowski et al v. Kidd et al Doc. 45 Att. 2

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK	
Michael KAMBUROWSKI et ux.,))
Plaintiff,) No. 05-CV-0953 (CBA/RLM)
v.)
) (Amon, J.)
Michael KIDD, Deportation Officer, U.S.) (Mann, M.J.)
Immigration and Customs Enforcement, et)
al.,)
)
Defendants.)

DECLARATION OF F. FRANKLIN AMANAT

- I, F. Franklin Amanat, Assistant United States Attorney in the Eastern District of New York, pursuant to 28 U.S.C. § 1746, do hereby declare under the penalties and pains of perjury, as follows:
- 1. A complete and true and correct copy of plaintiff Michael Kamburowski's immigration file, including his deportation file and the record of proceedings before the immigration court, has been consecutively paginated (pages 1-149) and is annexed to the Declaration of Michael S. Kidd as Exhibit 1.
- 2. Exhibit 2 is a true and correct copy of a Certification of Scope of Employment filed in the above-captioned proceeding by former Assistant United States Attorney Steven Kim on June 20, 2005.
- 3. Exhibit 3 is a true and correct copy of a Standard Form 95 Claim for Damage, Injury, or Death, dated June 30, 2005, filed by plaintiff Michael Kamburowski with the Department of Homeland Security (DHS), along with a letter from DHS in response dated July

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22, 2005, a letter from counsel for the plaintiff dated October 5, 2005, and a letter from DHS denying the administrative claim dated October 17, 2005.

- 4. Exhibit 4 consists of excerpts from the deposition testimony of plaintiff Michael Kamburowski, dated March 9, 2007.
- 5. Exhibit 5 consists of excerpts from the deposition testimony of Valeri F. Auletta, dated October 4, 2006.

Dated: Brooklyn, New York November 2, 2007 Benton J. Campbell United States Attorney Eastern District of New York 271 Cadman Plaza East Brooklyn, NY 11201-2776

By: /s/ {FILED ELECTRONICALLY}

F. Franklin Amanat (FA6117) Assistant United States Attorney Eastern District of New York (718) 254-6024